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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/049,359      | 02/08/2002  | Sunao Takatori       | 3552/0K257US0       | 9978             |

7590  
05/10/2005  
Darby & Darby  
805 Third Avenue  
New York, NY 10022

EXAMINER

CHARLES, DEBRA F

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3624

DATE MAILED: 05/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |  |  |
|------------------------------|--------------------------------------|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/049,359 | <b>Applicant(s)</b><br>TAKATORI, SUNAO |  |
|                              | <b>Examiner</b><br>Debra F. Charles  | <b>Art Unit</b><br>3624                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on February 8, 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

PD

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oneda(6611819B1).

Re claims 1,4 and 7. Oneda discloses a customer collation system comprising(col. 12, lines 30-55): storage means for storing the usage condition(col. 8, lines 20-67, col. 5, lines 45-col. 6, lines 15) data of the recent plural predetermined times for each usage of a card of a customer; and collation means for collating(col. 12, lines 30-55, i.e. the wallet is effectively a collation means) the usage condition data from a shop with the usage condition data, which is stored in the storage means(col. 8, lines 20-67, lines 45-col. 6, lines 15).

2,3,5,6 and 8: Oneda discloses a customer collation system according to claim 1, wherein the card is a credit card or cash card(col. 4, lines 40-65,

card has money balance like cash card and use limit like a credit card), and the usage condition data is the purchase data of the recent plural predetermined times(col. 5, lines 1-45).

Oneda does not explicitly disclose recent plural predetermined times.

However, most recent data is inherently stored in IC chips' ROM, RAM and EEPOM. Thus, it would have been obvious to one with an ordinary level of skill in the art to employ storage of recent predetermined times for the transaction processing to get the benefit of having recently occurring data available for evaluation and analysis.

3. Claims 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oneda as applied to claim 7 above, and further in view of Miyake(5886333A) and Tsuchida(5193089A).

Re claim 9: Oneda disclose(s) the claimed invention except wherein the customer collation system is provided with transmission means for transmitting the of the account to the mobile communication terminal when

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the account has not been performed during a given period and the storage means stores data of the account as the account condition data. However, in col. 2, lines 40-55, col. 3, lines 40-65, Fig 1 showing data transmission, Fig 14 showing collate ID thereof, Miyake disclose(s) transmission via mobile devices. It would be obvious to one of ordinary skill in the art to modify the invention of Oneda based on the teachings of Miyake. The motivation to combine these references is to facilitate data communication via mobile terminals for collation.

Oneda and Miyake disclose(s) the claimed invention except the pseudo data. However, in col. 3, lines 30-40, thereof, Tsuchida disclose pseudo data. It would be obvious to one of ordinary skill in the art to modify the invention of Oneda and Miyake based on the teachings of Tsuchida. The motivation to combine these references is to facilitate data communication via mobile terminals for collation.

Re claim 10. Oneda disclose storage means for storing the account condition data of the recent plural predetermined times for each account upon performing a transaction(col. 8, lines 20-67, lines 45-col. 6, lines 15).

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oneda as applied to claim 10 above, and further in view of Arumainayagam et al.(5659599A).

Oneda disclose(s) the claimed invention except an account stop personal identification code for stopping an account and is provided with controlling means for inputting the account stop personal identification code through the communication and whereby, stop an account by the mobile communication terminal. However, in col. 9, lines 65- col. 10, line 55 thereof, Arumainayagam et al. disclose(s) a boolean value to enable/disable the use of dedicated carriers. It would be obvious to one of ordinary skill in the art to modify the invention of Oneda based on the teachings of Arumainayagam et al.. The motivation to combine these references is to permit the customer to disable an account or a feature of the account using a specific code.

1 2. Oneda disclose a transmitting and receiving means for account data(claims 29 and 33).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oneda as applied to claim 12 above, and further in view of Berger et al.(6684063A).

Re claim 13. Oneda disclose the invention except wherein the detachable storage means is a SIM card. However, Berger et al. (claim 13) disclose a SIM card with storage. It would be obvious to one of ordinary skill in the art to modify the invention of Oneda based on the teachings of Berger et al. The motivation to combine these references is to permit the customer to disable an account or a feature of the account using a specific code that is stored in the SIM card.

Claims 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oneda and Berger et al.

Re claim 14. Oneda disclose the invention except detachable storage means. However, Berger et al. (claim 13) disclose a SIM card with storage. It would be obvious to one of ordinary skill in the art to modify the invention of Oneda based on the teachings of Berger et al. The motivation to combine these references is to permit the customer to disable an account or a feature of the account using a specific code that is stored in the SIM card.

5. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oneda and Berger et al. as applied to claim 14 above, and further in view of Arumainayagam et al.

Re claim 15. Oneda and Berger et al. disclose the invention except the account stop personal identification code for stopping an account and the detachable storage means is provided with controlling means for stopping the account due to the mobile communication terminal by inputting the account stop personal identification code through the communication.

However, in col. 9, lines 65- col. 10, line 55 thereof, Arumainayagam et al. disclose(s) a boolean value to enable/disable the use of dedicated carriers. It would be obvious to one of ordinary skill in the art to modify the invention of Oneda and Berger et al. based on the teachings of Arumainayagam et al. The motivation to combine these references is to

permit the customer to disable an account or a feature of the account using a specific code.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra F. Charles whose telephone number is (571) 272 6791. The examiner can normally be reached on 9-5 Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent A. Millin can be reached on (571) 272 6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-0315.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Debra F. Charles  
Examiner  
Art Unit 3624

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VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

A handwritten signature in black ink, appearing to read "Vincent Millin", written in a cursive style.